

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

VIPER CAPITAL MANAGEMENT, LLC, et al.,

Defendants,

and

COMPASS WEST FUND, et al.,

Relief Defendants.

In re:

EDWARD SEWON EHEE, et al.,

Debtors.

Nos. C 06-06966 SI; 06-7270 SI; 07-02507
SI; 07-02508 SI; 07-02509 SI; Bankruptcy
Case Nos. 07-40126T; 07-40129; 07-40130

**ORDER RE: HOMESTEAD
DECLARATION AND JOINT
ADMINISTRATION OF BANKRUPTCY
CASES**

On July 13, 2007, the Court heard argument on defendant Edward Ehee's motion for an order authorizing filing of a homestead declaration, and plaintiff Roosevelt Fund's motion for joint administration of the bankruptcy cases. The Court rules as follows.

With respect to Ehee's motion, the Court finds it appropriate to allow Ehee to record a homestead declaration. Ehee may record a homestead declaration, in his name rather than Mrs. Ehee's, in accordance with sections California Code of Civil Procedure 704.910 *et seq.*, and 704.710 *et seq.* Of course, as previously ordered by the Court, any proceeds from sale of the home, including any exempted portion of equity, shall be placed by the escrow company in the Court's registry. *See* Order for

1 Preliminary Injunction (Nov. 22, 2006) at 4:16-19. Furthermore, as indicated at hearing, the Court
2 makes no determination, at this point, as to the ultimate fate of whatever sale proceeds may be protected
3 by a homestead exemption.

4 The parties have indicated that Roosevelt's motion need not be addressed at this time, other than
5 clarification of the correct caption, and Roosevelt's request that Case No. 06-6966 be designated as the
6 lead case, thereby allowing all future filings to be filed only under that case. The Court therefore
7 DENIES Roosevelt's motion for joint administration, without prejudice. The Court ORDERS that all
8 future filings bear the same caption as this Order. Case No. 06-6966 shall be designated as the lead
9 case, and all future filings in all of the related cases need only be filed in the lead case.

10 For the foregoing reasons and for good cause shown, the Court hereby GRANTS Ehee's motion
11 for order authorizing filing of homestead declaration [Docket No. 60], and DENIES Roosevelt's
12 unopposed motion for joint administration of the bankruptcy cases, without prejudice [Docket No. 67].

13 **IT IS SO ORDERED.**

14
15 Dated: July 25, 2007



SUSAN ILLSTON
United States District Judge